

UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO

AXEL RAUL ZAMARRON,

Plaintiff,

v.

Civ. No. 21-919-RB/GJF

HERMANN MADRID, *et al*,

Defendants.


**ORDER DIRECTING ISSUANCE OF
NOTICE AND WAIVER OF SERVICE FORMS**

This matter is before the Court on Plaintiff's *pro se* Amended Prisoner Civil Complaint (Doc. 20). During the time frame relevant to the Complaint, Plaintiff was an inmate at the Central New Mexico Corrections Facility ("CNMCF"). He alleges, *inter alia*, that as he was being physically attacked by a group of inmates, Defendant Hermann Madrid, a CNMCF guard, hit him in the head with a closed fist multiple times without provocation or justification, thereby violating Plaintiff's rights under Eighth Amendment.

Having reviewed the Complaint *sua sponte* under 28 U.S.C. § 1915(e) and Fed. R. Civ. P. 12(b)(6), the Court finds the claims must be resolved on a full record and after a *Martinez* investigation. The Court will give Defendants an opportunity to waive formal service requirements before ordering personal service by the U.S. Marshals. The costs of service may be imposed on any Defendant if the Court finds that they declined to waive personal service without good cause.

IT IS ORDERED that the Clerk's Office shall **ISSUE** Notice and Waiver of Service Forms, along with a copy of the Amended Complaint (**Doc. 20**), on Defendants using the addresses provided by Plaintiff on pages 2-5 of the Amended Complaint.

SO ORDERED.



THE HONORABLE GREGORY J. FOURATT
UNITED STATES MAGISTRATE JUDGE